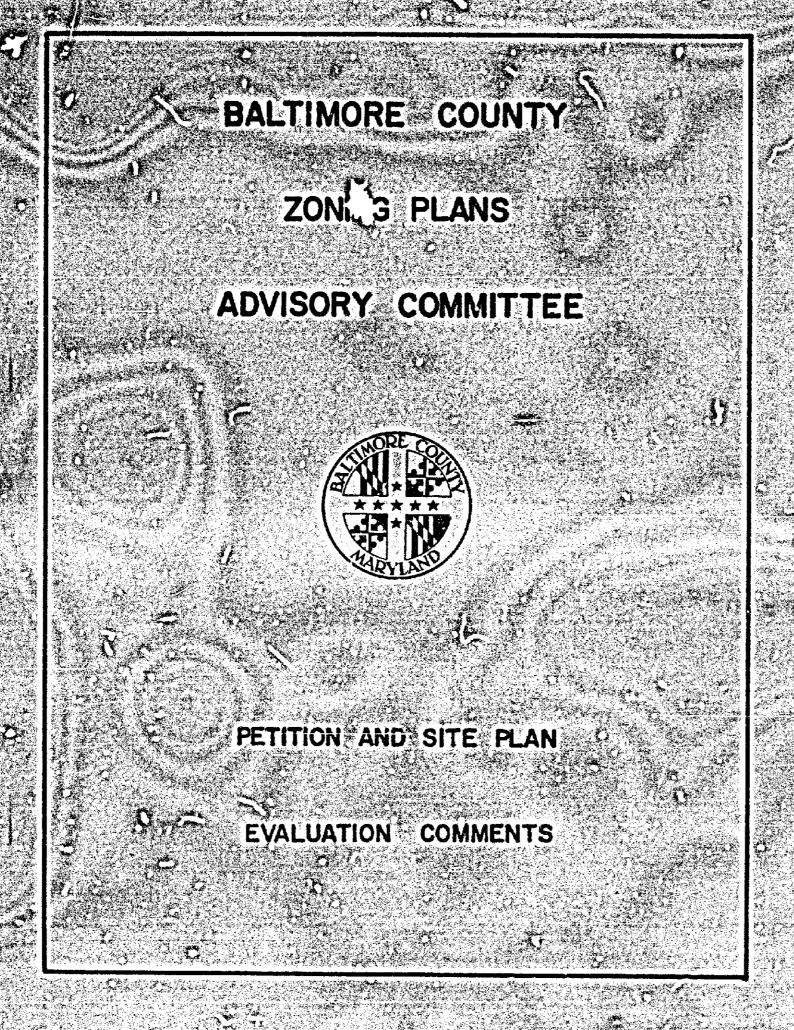
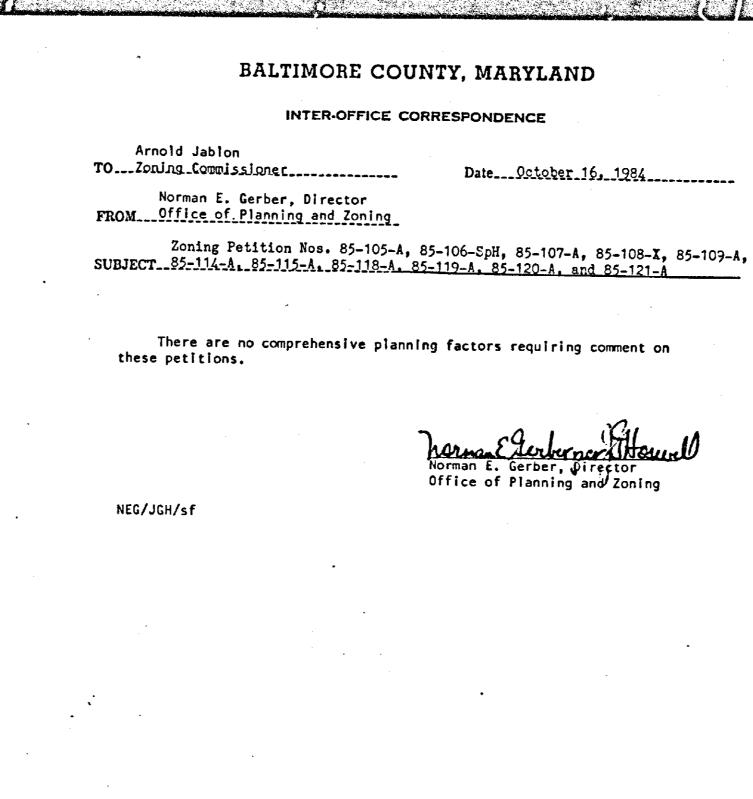
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section _1B02.3.b(208.3) to parmit a sideyard setback of 5 feet, instead of the required 10 foot and a sum of both sideyards of 20 feet instead of the required 25 feet. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) as attached-Attachment 1. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Legal Owner(s): Patricia and Dean Kone (Type or Print Name) Patricia a Kone Attorney for Petitioner: Bruce Eprino HIGIARD KLEIN 1010 St. Paul Street 669-0098 Baltimore, Maryland 21202 1401 Waskington tue City and State tract purchaser c Attorney's Telephone No.: 871-6800 ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of September , 19 84, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore Zoning Commissioner of Baltimore County. BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson Maryland 21204 Your petition has been received and accepted for filing this

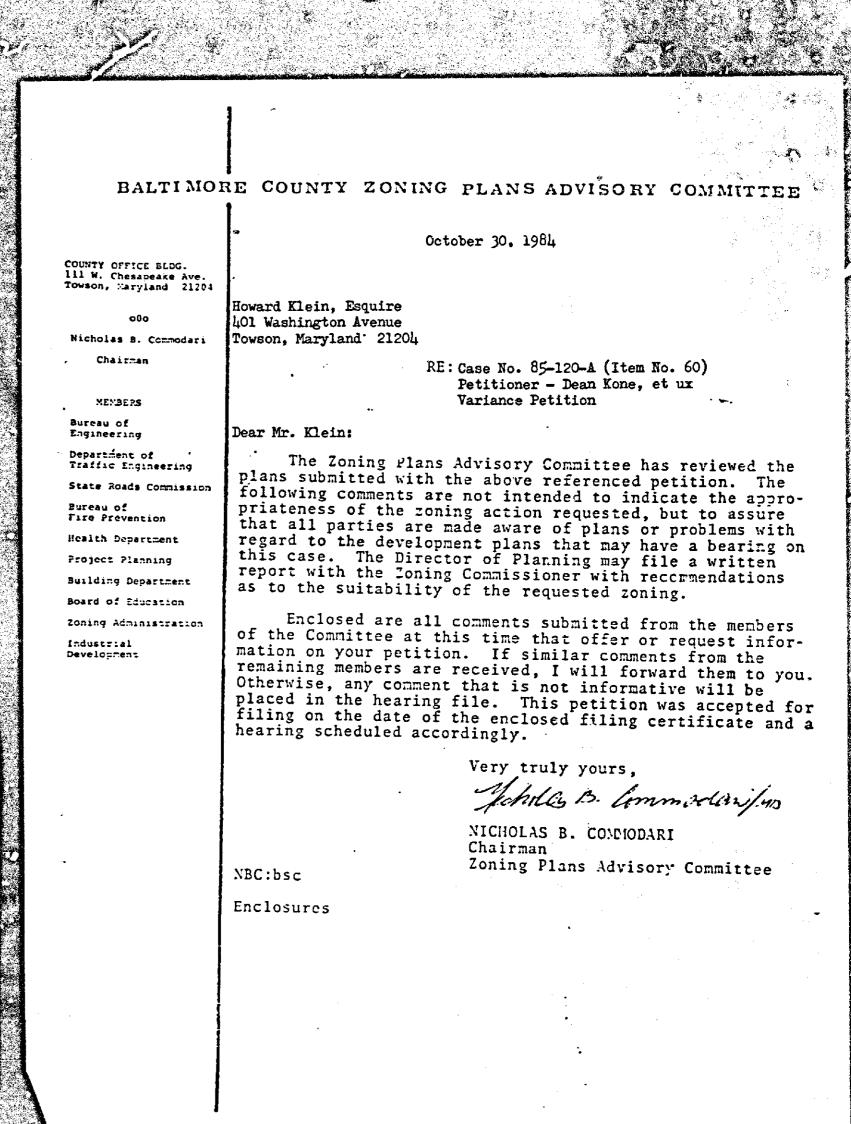
Zoning Commissioner

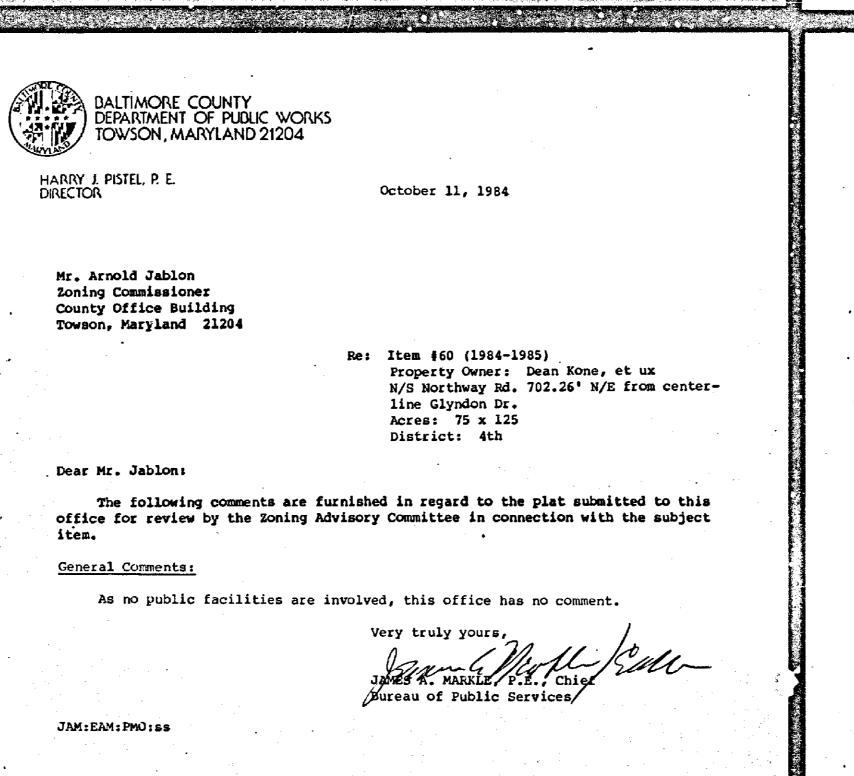
Advisory Committee

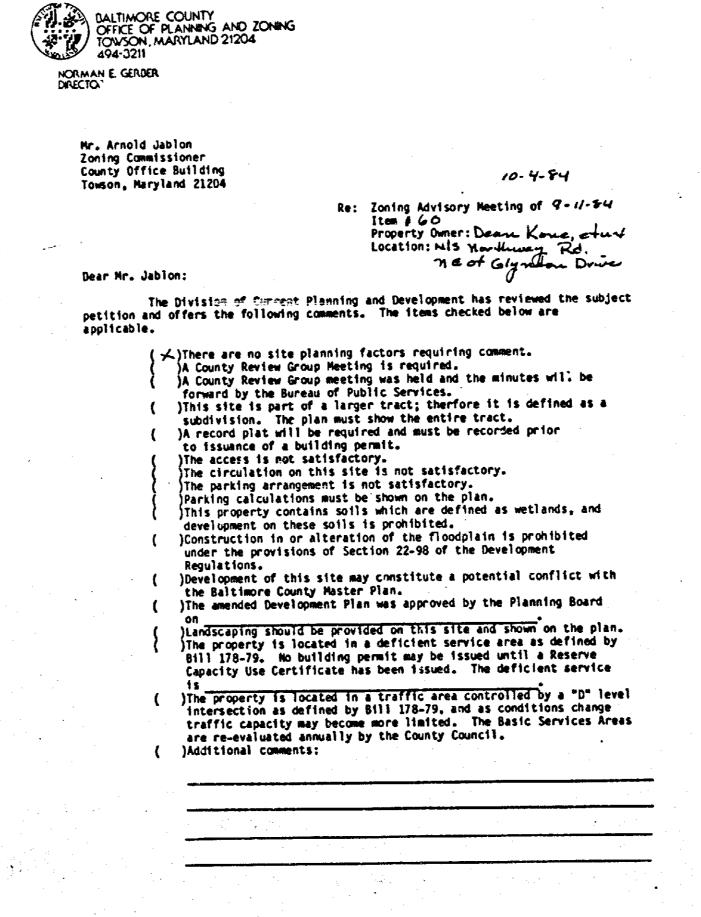
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: And the state of the s

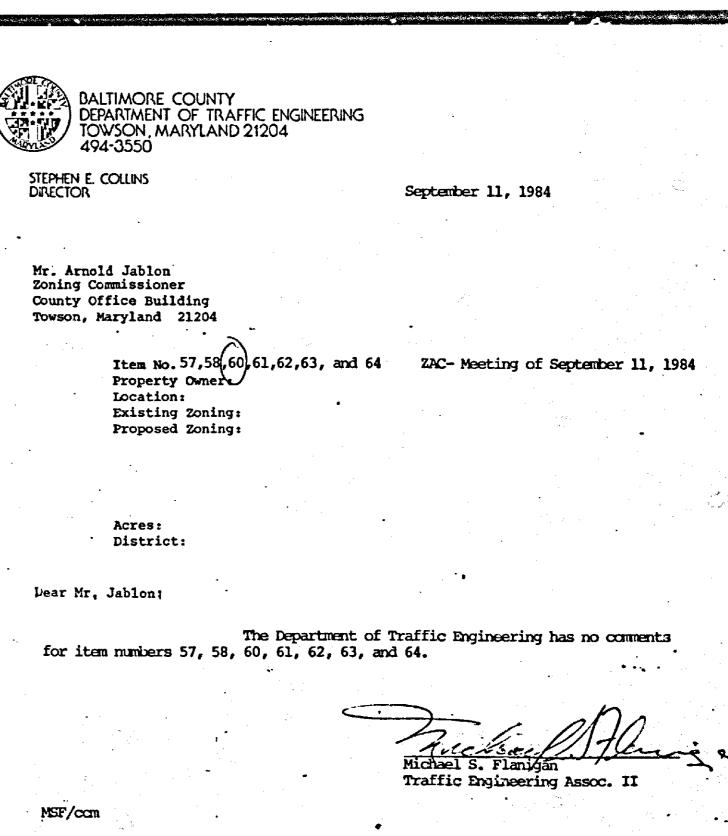












TOTAL FOR ZOMET VARIANCE Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitione. (3) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this

· 集、集员40gg 有了是由 → 1 000分布表示的 线工 ·

_____, 19____, that the herein Petition for Variance(s) to permit

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586 PAUL H. REINCKE CHIEF

September 27, 1984

Mr. Arnold Jablon Zoning Commissioner Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Dean Kone, et ux

Location: N/S Northway Rd. 702.26' N/E om c/1 Glyndon Dr. Zoning Agenda: Meeting of 9/11/84 Item No.: 60

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at ____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: CIT Joann Yolly 9-17-84 Approved: Longe M Weigand Fire Prevention Burney Special Inspection Special Inspection Division

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 ARNOLD JABLON ZONING COMMISSIONER

November 28, 1984

Howard Klein, Esquire 401 Washington Avenue Towson, Maryland 21204

> RE: Petition for Variances N/S of Northway Rd., 702.26' NE of the center line of Glyndon Dr. (118 Northway Rd.) - 4th Election

Dean Kone, et ux - Petitioners No. 85-120-A (Item No. 60) Dear ir. Klein:

I have this date passed my Order in the above captioned matter in accordance with the attached.

JEAN M.H. JUNG Deputy Zoning Commissioner

cc: Ms. Dorothy Blake 120 Northway Road Reisterstown, Maryland 21136 People's Counsel

Howard Klein, Esquire 401 Washington Avenue Towson, Maryland 21204

NOTICE OF HEARING RE: Petition for Variances
N/S Northway Road, 702.26' NE of the
c/l of Glyndon Drive (118 Northway Road)
Dean Kone, et ux - Petitioners
Case No. 85-120-A

TIME: 10:15 A.M.

DATE: Wednesday, November 7, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake

Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

No. 133252

VARIANCE

6 Dis 25pgia 3314F VALIDATION OR SIGNATURE OF CASHIER BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

September 20, 1984

Mr. Arnold Jablon, Soning Commissioner Office of Planning and Zoning

TED ZALESKI, JR.

Comments on Item # 60 Zuning Advisory Committee Meeting are as follows:

Location: NS Northway Road 702.26' N/E from c/1 Glyndon Drive Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side yard setback of 5' in lieu of the required 10' and a sum of both sideyards of 20' in lieu of

the required 25'.

All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 STADENAN ENGREEMENT FOR THE FRUIT BUILDING CODE 1981/Council

B a building/& other / permit shall be required before beginning construction. Residential: Three sets of construction drawings are required to file a permit

application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data. D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0 for Commercial uses or 3'0 for One & Two Family use group.of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code,

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can compay with the height/area requirements of Table 505 and the required con-

NOTE: These comments reflect only on the information provided by the drawings substrued as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave.,

CERTIFICATE OF POSTING

Posted for: OF both side fards of 20' in his of 25' w how of 10' and a sum

Petitioner: Dean Name + Petitioner: Dan Kana, et ux

Location of property: N/S Northway Rd., 702.16' NE of 6/4ndon Drive. 118 Northway Rd. 21136 Location of Signs Sign Ferry Northway, on property of Politician Approx 12' From Yordway & 7' From existing driso way

85-120-A RK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

Westminster, Md., ..Oc.t...18, 1984.....

S IS TO CERTIFY that the annexed Reg...#..L633.78...P.Q.#59199 .18th.....day of ...October....., 19.84...... in the Carroll County Times, a daily newspaper published in Westminster, Carroll County, Maryland. South Carroll Herald, a weekly newspaper published in Eldersburg, Carroll County, Maryland. Community Times, a weekly newspaper published in Reisterstown, Baltimore County, Maryland.

RK COMMUNITY NEWSPAPERS OF MARYLAND, INC. Per Juma Keefer

N/S of Northway Rd., 702.26 NE of the Centerline of Glyndon: OF BALTIMORE COUNTY Drive (118 Northway Rd.), 4th District

DEAN KONE, et ux, Petitioners : Case No. 85-120-A

ENTRY OF APPEARANCE

:::::::

Please enter the appearance of the People's Counsel in the above entitled matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Phyllis Cole Friedman People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel Ra. 223, Court House Towson, MD 21204 494-2188

I HEREBY CERTIFY that on this 16th day of October, 1984, a copy of the foregoing Entry of Appearance was mailed to Howard Klein, Esquire, 401 Washington Ave., Towson, MD 21204, Attorney for Petitioners.

Peter Max Zimmerman

\$5=120-A CERTIFICATE OF PUBLICATION LOCATION: North side of Northway Road, 702.26 feet Northeast of the centerline of Glyndon Drive (118 North-way Road) THIS IS TO CERTIFY, that the annexed advertisement was PUBLIC HEARING: Reeming. 108, County Office Building, 111 W. Chenaspeaks Avenue, Townes, Maryland published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on October 18, 19 84 THE JEFFERSONIAN. request for a stay of the insuance of said permit during this
period for good cause shows
Such request must be received
in writing by the date of the
hearing set shows or made at
the bearing.

By Order Of
ARNOLD JABLON,
Soning Commissioner
of Baltimore County Cost of Advertising

ARNOLD JABLON ZONING COMMISSIONER

October 25, 1984

Howard Klein, Esquire 401 Washington Avenue Towson, Maryland 21204

RE: Petition for Variance N/S Northway Rd., 702.26' NE of the c/l of Glyndon Drive (118 Northway Rd) Dean Kone, et ux - Petitioners Case No. 85-120-A

Dear Mr. Klein:

This is to advise you that \$51.33 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

LDJABLON

Commissioner

Please make the check payable to Baltimore County, Maryland, and emit to Mrs. Arlene Isnuary Zoning Office, Room 113. County Office Building, BALTIMORE COUNTY, MARYLAND No. 135845

OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT Nev. 7 1984 -01-615-601

Adv. & Pezition N/ Case = 85-190-A

6 D50+++++513314 =074F 1 5

ZONING DESCRIPTION

Beginning on the north side of Northway Road, 50 feet wide, at the distance of 702.26 feet northeast of the centerline of Glyndon Drive. Being Lot 18, Block A, Revision of Plat Two in the subdivision of Chartley. Book No. 29, Folio 100. Also known as No. 118 Northway Road in the Fourth Election District of Baltimore County, Maryland.

4th Election District

PETITION FOR VARIANCES

North side of Northway Road, 702.26 feet Northeast of the centerline of Glyndon Drive (118 Northway Road)

DATE AND TIME:

Wednesday, November 7, 1984 at 10:15 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake

Avenue, Towson, Maryland The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to permit a side yard setback of 5 feet instead of the required 10 feet and a sum of both side yards of 20 feet instead of the required 25 feet.

Being the property of Dean Kone, et ux the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

> BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

' as shown on

1. That application for construction, pon approval, zoning, blueprints setc. "were reviewed by Salaimore County Officials and a valid permit we issued with subsequent permits and inspections to begin, construct and complete construction from May through August 1983. The occupancy permit was issued in August 1983 and subsequentially, tax apprisals and assesments were completed by September 1983. Plan reconstruction would require:

A. Redrafting and redrawing of all modifications of plot plan and struction to include the resubmission; allowing one per each delay to include reinspection; to exceed more than \$150.00 per submission for each user,

B. Structual Engineer design and redesign to facilitate modification and addendum prints, to insure structual support; allowing additional two week delay, to exceed more than \$400.00 in additional prints,

C. Resubmission of construction package for modification of construction loan, underwriters of permanet mortgage and Veteran's Administration for approval will necessitate,

allowing an additional six to nine month delay,

investment of an additional one half point to the require one half point already invested for this delay, \$600.00,

the required one point for the package resubmission, and possibly the loss of the Veteran's Administration loan due to the result of two other required extensions, necessitating a required four point investment for a new loan or the amount of \$2400.00,

2. That construction and all phases of construction met the inspection criteria of ALL County inspectors, and that building constuction began on that approval to include the Office of Zoning, and that the building structure maintains a superior design and is structually sound, that reconstruction would require other additional costs per construction foot to include market increases with attributed delays to dismantle and reconstruct, with the possibility of possible relocation of the residants of the dwelling and further may;

A. Undermine structual integrity and loss of the family residance, which exceeds more than \$70,000.00.

B. Expose materials to the elements causing faticue. rotting, warping, and sizing (expansion and contraction) predicating numerous and continual costly repair for the current and subsequent owner(s) to include necessary legal fees(if any).

Attachment (1) Page 1 Of 4 Pages

folio 100.....

The following information is provided for review to determine if a scheduled Variance Hearing would be required. The information is taken from the "Deed Restrictions, from Deed" and is capsulized as follows:

"THIS AGREEMENT OF DECLARATION, made this 17th day of May, 1965 by HILL VIEW REALTY CO., INC. a Maryland Corporation, WHEELER HOLDING, INC., a Maryland Corporation, WESTMINISTER HOUSING, INC., a Maryland Corportation, THE AMERICAN NATIONAL BUILDING AND LOAN ASSOCIATION OF BALTIMORE CITY, a Maryland Corporation, and EUTAW SAVINGS BANK OF BALTIMORE, a Maryland Corporation. WHEREAS, title to the following described lots of ground, situate in Baltimore County, State of Maryland is vested in HILL VIEW REALTY CO., INC., WESTMINSTER HOUSING, INC., and WHEELER HOLDING, INC.

BEING known and designated as Lots No. 9,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24, and 25, Block A, and Lots No. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21, Block C, and Lots 1,2, and 3, Block D as shown on the Plat entitled "Revision of Plat Two, Chartley", recorded among

the Plat Records of Baltimore County, in Libra R.R.G. 29,

WHEREAS, said lots of ground have been or will be subdivided or resubdivided for building purposes, with the object of creating a residential neighborhood; and,

WHEREAS, for the purpose of creating said residential neighborhood, this Agreement of Declaration is entered into by the parties for the purpose of imposing on the aforesaid described properties and covenants, agreements and restrictions hereinafter set forth; and,

WHEREAS, in addition, The American National Building and Loan Association of Baltimore City is the holder of the the followng mortgages.....

NOW, THEREFORE WITNESSETH, that Hill View Realty Co., Inc., Wheeler Holding, Inc., Westminister Housing, Inc., The American National Building and Loan Association of Baltimore City and Eutaw Savings Bank of Baltimore, in consideration of the mutual promises herein contained and the performance of the covenants and agreements set out, and other good and valuable considerations, the receipt whereof is hereby acknowledged, for themselves, there successors and assigns, do hereby covenant and agree; each with the other, that all thuse lots of ground and proprty hereinabove described shall be subject to the following covenants, conditions and agreements, and which shall with the said land.

Page 1 Of 2 Pages.

1. That said lot shall be used for resigntial purposes only and no dwelling shall be erected or placed on any lot having a width of less then 60 feet at the front building set back line nor shall any dwelling be erected or placed on any lot having an area of less than 6000 square feet.

3. No dwelling shall be constructed unless the area of the main structure at first floor level exclusive of one story open porches and garages shall be at least 800 square feet in the case of a one story structure and in the case of a dwelling of more than one story the combined floor area at ground level and above shall be at least 900 square feet.

4. That no structure of any kind shall be erected, altered or permitted on any one lot of ground other than a detached dwelling house for not more than one family not to exceed 2-1/3 stories in height and a private garage for not more than two

5. No building shall be located on any lot nearer than thirty feet to the front lot line or nearer than 30 feet to any side street line. No building shall be located nearer than ten feet to an interior line except for a carport, which carport may include a closed storage area, which carport must be attached to and become part of the house erected on the lot, excepting further that a garage maybe located nearer than ten feet to an interior lot line provided that in no event shall the garage be less than forty-five feet from the minimum building set back line. For the purposes of this covenant, eaves, steps, bay windows and porches shall not be considered as a part of the building."

Page 2 of 2 Pages.

RE: PETITION FOR VARIANCES N/S of Northway Rd., 702.26' NE of the center line of Glyndon Dr. (118 Northway Rd.) - 4th Election District Dean Kone, et ux - Petitioners No. 85-120-A (Item No. 60)

BEFORE THE DEPUTY ZONING COMMISSIONER BALTIMORE COUNTY

::: ::: ::: ::: ::: ::: :::

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that by reason of the following finding of facts: 1. The petitioners herein seek variances to permit a side yard

> of both side yards of 20 feet in lieu of the required 25 feet. 2. Testimony presented by the petitioners indicated that prior to settlement in March 1982, the property was unkept, a neighborhood nuisance and danger, and the house was severely fire damaged. The building was razed and a series of surveys were conducted prior to and subsequent to construction of the existing dwelling. An

setback of 5 feet in lieu of the required 10 feet and a sum

occupancy permit for this dwelling was issued in August 1983. However, during the course of converting the mortgage to a permanent loan, a fourth survey was taken and the setback error was uncovered. \$\frac{p}{b}\$ 3. Two neighborhood residents appeared in protest expressing concern that this case might set a precedent; however, they commended the

petitioners on the appearance of the property. After due consideration of the testimony presented, it is clear that a practical

difficulty or unreasonable hardship would result if the variances were not granted.

In the ppinion of the Deputy Zoning Commissioner, the petitioners, surveyors, and the County have all acted in good faith and a human error has occurred. In addition,

The variances requested will not be detrimental to the public health, safety, and general welfare of the community.

Therefore, IT IS CRDERED by the Deputy Zoning Commissioner of Baltimore County, this 28 day of November, 1984, that to permit a side yard setback of 5 feet in lieu of the required 10 feet and a sum of both side yards of 20 feet in lieu of the required 25 feet, is GRANTED, from and after the date of this Order.

33. That reconstruction costs would be in excess of the orignal construction fund and modification to include alteration of the foundation layout, exterior and interior walls, doors, joists, trusses, and pitch inclination required by the modification will result in the loss of original building materials, the expense of additional materials and the labor and amount of work required to mandate the required change, without recovery and any of the previous funding.

4. Additional information as presented if reviewed might indicate that additional zoning may not be required as to the decision of the Zoning Hearing Officer. Your attention is invited to the additional attachment.

Page 2 Of 4 Pages

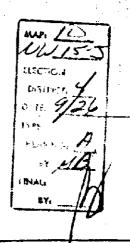


ZONING PLAT

OWNER: Dean B.Kone and
Patricia A.Kone
Title Ref:EHK,JR. 6404
Folio 381 6/14/82
Owners Address: 118 Northway
Road, Reisterstown,Md.
21136

Existing Zoning: DR 3.5

Existing Utilities: Water and Sewer in Northway Road



Not for property line establishment.

EDWIN J. KIRBY AND ASSOCIATES

PROFESSIONAL LAND SURVEYORS

16-18/9 21136

22 NORTH COURT STREET WESTMINSTER, MARYLAND 21157 (301) 846-2821

